UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. EDUARDO BARAJAS (1), aka Eddie-Boy, VICTOR RAMOS (2), aka V, ALEJANDRO VELARDE (3), aka Lil' Al, MIGUEL RIVERA MEDINA (4) aka Vampiro, JACOB TALLAECHE (5) aka Dopey, THOMAS ALEJANDRO MANZANO (6), aka Tommy-Boy, DERIC WILLIAMS (7), aka Pelon, JULIO CESAR JIMENEZ (8), aka Foo-Foo, ERNESTO ROMAN LOPEZ (9), aka Ernie, Defendants.	Criminal Case No. 07CR2985-WQH JOINT MOTION TO DECLARE CASE COMPLEX

The parties, United States of America, by and through its counsel KAREN P. HEWITT, United States Attorney, and MICHAEL J. CROWLEY and TIMOTHY F. SALEL, Assistant United States Attorneys, and the above-listed defendants, through their respective defense counsel, hereby

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jointly move, pursuant to 18 U.S.C. § 3161(h)(8), for the Court to declare this case complex for purposes of the Speedy Trial Act, 18 U.S.C. §§ 3161, et seq.

The discovery in the related cases is voluminous. During the criminal investigation that resulted in the Indictments at criminal case nos. 07CR1407-WQH, 07CR1408WQH, and 07CR2985-WQH (as well as numerous other cases), there were approximately 10 months of court-authorized wire taps on numerous telephones and Government agents executed approximately 23 search warrants at residences located throughout San Diego county. The Government has reproduced approximately 10 CDs containing thousands of hours of intercepted calls and approximately 8 CDs containing hundreds of photographs. The intercepted conversations were primarily conducted in the Spanish language and many of the intercepted parties used coded language to describe drug-related transactions. The wire interceptions include approximately 19,968 voice sessions and 6,907 pertinent voice sessions. The discovery includes approximately 75,000 pages of line sheets, approximately 175 investigative reports, over 55 drug exhibits, and over 200 non-drug exhibits. There are 19 indicted defendants in case no. 07CR1408-WQH, 4 defendants in case no. 07CR1407-WQH, and 9 indicted defendants in case no. 07CR2985-WQH, and several defendants in other cases.

In sum, based on the high volume of the discovery (including thousands of intercepted calls that need to be translated from Spanish-to-English for purposes of future litigation), the large number of defendants in the related cases, the complex nature of the prosecutions and possible existence of novel questions of fact or law (including issues related to the drug and money laundering conspiracies, the Title III investigation, the search warrants, security concerns related to confidential informants or cooperating defendants, and co-defendants who remain at large) it would be unreasonable to expect defense counsel to be able to effectively prepare for pre-trial motions and trial within the period normally prescribed by the Speedy Trial Act, 18 U.S.C. §§ 3161, et seq., taking into account the exercise of due diligence. Consequently, the ends of justice served by a continuance outweighs the best interest of the public and the defendants in a speedy trial.

The parties respectfully request that this Court declare this case complex and order that the time between December 17, 2007 and April 21, 2008 (or any other date the Court deems appropriate), be deemed excludable time under the Speedy Trial Act pursuant to 18 U.S.C.

§ 3161(h)(8) in addition to any time excludable, pursuant to 18 U.S.C. § 3161(h)(1)(F), resulting from pre-trial motions already filed.

Respectfully submitted,

KAREN P. HEWITT
United States Attorney

DATED: January 18, 2008 — */S/ MICHAEL J. CROWLEY*
MICHAEL J. CROWLEY
Assistant U.S. Attorney

DATED: January 18, 2008 — */S/ TIMOTHY F. SALEL*
TIMOTHY F. SALEL
Assistant U.S. Attorney

DATED: January 18, 2008 — */S/ STEPHEN P. WHITE*
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Attorney for Eduardo Barajas (1)

DATED: January 18, 2008 — */S/ MARK F. ADAMS*
MARK F. ADAMS
Attorney for Victor Ramos (2)

DATED: January 18, 2008 — */S/ LYNN H. BALL*
LYNN H. BALL
Attorney for Alejandro Velarde (3)

DATED: January 18, 2008 — */S/ ROBERT E. BOYCE*
ROBERT E. BOYCE
Attorney for Miguel Rivera Medina (4)

DATED: January 18, 2008 — */S/ JAMES W. GLEAVE*
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DATED: January 18, 2008 — */S/ NANCY B. ROSENFELD*
NANCY B. ROSENFELD
Attorney for Thomas A. Manzano (6)

DATED: January 18, 2008 — */S/ ANTHONY E. COLOMBO, JR.*
ANTHONY E. COLOMBO, JR.
Attorney for Deric Williams (7)

DATED: January 18, 2008 — */S/ CHARLES N. GUTHRIE*
CHARLES N. GUTHRIE
Attorney for Julio Cesar Jimenez (8)

DATED: January 18, 2008 — */S/ HOWARD B. FRANK*
HOWARD B. FRANK
Attorney for Ernest Roman Lopez (9)

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. EDUARDO BARAJAS, et al., Defendants.	)	Criminal Case No. 07CR2985-WQH CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that:

I, Timothy F. Salel, am a citizen of the United States over the age of 18 years and a resident of San Diego County, CA; our business address is 880 Front Street, San Diego, CA 92101-8893; I am not a party to the above-entitled action.

I have caused service of JOINT MOTION TO DECLARE CASE COMPLEX, on the following parties, by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies the following parties at their respective e-mail addresses:

(1) STEPHEN P. WHITE – Attorney for Eduardo Barajas (1)
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(2) MARK F. ADAMS – Attorney for Victor Ramos (2)
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(7) HOWARD B. FRANK – Attorney for Ernesto Roman Lopez (9)
E-Mail: hbfandjm@aol.com

I declare under penalty of perjury that the foregoing is true and correct.

DATED: January 18, 2008

/S/ TIMOTHY F. SALEL
TIMOTHY F. SALEL
Assistant U.S. Attorney